

# 11080230 \$ 209.00

FORM B1

United States Bankruptcy Court  
District of Western New YorkVOLUNTARY  
PETITIONName of Debtor (If individual, enter Last, First, Middle):  
Tiburzi, Louis J.Name of Joint Debtor (Spouse)(Last, First, Middle):  
Tiburzi, Linda

All Other Names used by the debtor in the last 6 years (include married, maiden and trade names):

a/k/a Louis Tiburzi

a/k/a Lou Tiburzi

a/k/a Tiburzi L. Sewer &amp; Drain

a/k/a Tiburzi Sewer

a/k/a Tiburzi Sewer &amp; Drain

a/k/a Lou Tiburzi d/b/a Lou Tiburzi Sewer &amp; Drain

All Other Names used by the joint debtor in the last 6 years (include married, maiden and trade names):

a/k/a Linda J. Tiburzi

a/k/a Linda Tiburzi d/b/a L. Tiburzi Sewer &amp; Drain

05-92243

Last four digits of Soc. Sec./Tax I.D. No. (If more than one, state all): 9455

Last four digits of Soc. Sec./Tax I.D. No. (If more than one, state all): 4199

Street Address of Debtor (No. &amp; Street, City, State &amp; Zip Code):

4870 Morgan Parkway, Hamburg, NY 14075-3216

Street Address of Debtor (No. &amp; Street, City, State &amp; Zip Code):

4870 Morgan Parkway, Hamburg, NY 14075-3216

County of Residence or of the  
Principal Place of Business: ERIECounty of Residence or of the  
Principal Place of Business: ERIE

Mailing Address of Debtor (If different from street address):

Mailing Address of Joint Debtor (If different from street address):

Location of Principal Assets of Business Debtor  
(if different from street address above):

## Information Regarding Debtor (Check the Applicable Boxes)

## Venue (Check any applicable box)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this district.

## Type of Debtor (Check all boxes that apply)

☒ Individual(s)☐ Corporation☐ Partnership☐ Other☐ Railroad☐ Stockbroker☐ Commodity Broker☐ Clearing BankChapter or Section of Bankruptcy Code Under Which  
the Petition is Filed (Check one box)☒ Chapter 7☐ Chapter 9☐ Sec. 304 - Case ancillary to foreign proceeding☐ Chapter 11☐ Chapter 12☐ Chapter 13

## Nature of Debt (Check one box)

☒ Consumer/Non-Business☐ Business

## Filing Fee (Check one box)

☒ Full Filing Fee attached.

☐ Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments.

Rule 1006(b). See Official Form No. 3

## Chapter 11 Small Business (Check all boxes that apply)

☐ Debtor is a small business as defined in 11 U.S.C. § 101☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

## Statistical/Administrative Information (Estimates only)

☒ Debtor estimates that funds will be available for distribution to unsecured creditors.

☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

THIS SPACE FOR COURT USE ONLY

## Estimated Number of Creditors

1-15      16-49      50-99      100-199      200-999      1000-over

☐      ☒      ☐      ☐      ☐      ☐

## Estimated Assets

\$0 to \$50,000      \$50,001 to \$100,000      \$100,001 to \$500,000      \$500,001 to \$1 million      \$1,000,001 to \$10 million      \$10,000,001 to \$50 million      \$50,000,001 to \$100 million      More than \$100 million

☐      ☐      ☒      ☐      ☐      ☐      ☐      ☐

## Estimated Debts

\$0 to \$50,000      \$50,001 to \$100,000      \$100,001 to \$500,000      \$500,001 to \$1 million      \$1,000,001 to \$10 million      \$10,000,001 to \$50 million      \$50,000,001 to \$100 million      More than \$100 million

☐      ☐      ☒      ☐      ☐      ☐      ☐      ☐

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)**

Location

Where Filed:

**NONE**

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)**

Name of Debtor:

**NONE**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ Louis J. TiburziSignature of Debtor **Louis J. Tiburzi****X** /s/ Linda TiburziSignature of Joint Debtor **Linda Tiburzi**

Telephone Number (If not represented by attorney)

July 22, 2005 October 3, 2005

Date

**Signature of Attorney****X** /s/ Doreen E. Letty

Signature of Attorney for Debtor(s)

**Doreen E. Letty**

Printed Name of Attorney for Debtor(s)

Bar ID Number

**Hogan & Willig, PLLC**

Firm Name

**One John James Audubon Parkway, Suite 210****Amherst, New York 14228**

Address

**(716) 636-7600**

Telephone Number

July 22, 2005 October 3, 2005

Date

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X**

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

**X** /s/ Doreen E. Letty

Signature of Attorney for Debtor(s)

July 22, 2005 October 3, 2005**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.  
☒ No**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number (Required by 11 U.S.C. §110)

Address

Names and Social Security Numbers of all other Individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

**X**

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK**

|   |                                |
|---|--------------------------------|
| In re:<br><br><b>Tiburzi, Louis J. and Linda, Debtor(s)</b> | Case Number:<br><br>(If Known) |
|---|--------------------------------|

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules a, B, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

|  |  |                      |                  | AMOUNTS SCHEDULED   |                     |           |
|--|--|----------------------|------------------|---------------------|---------------------|-----------|
|  | NAME OF SCHEDULE                               | ATTACHED<br>(YES/NO) | NO. OF<br>SHEETS | ASSETS              | LIABILITIES         | OTHER     |
| A-   | Real Property                                  | YES                  | 1                | \$105,279.00        |                     |           |
| B-   | Personal Property                              | YES                  | 3                | \$25,185.00         |                     |           |
| C-   | Property Claimed as Exempt                     | YES                  | 1                |                     |                     |           |
| D-   | Creditors Holding Secured Claims               | YES                  | 1                |                     | \$49,967.00         |           |
| E-   | Creditors Holding Unsecured Priority Claims    | YES                  | 2                |                     | \$69,138.00         |           |
| F-   | Creditors Holding Unsecured Nonpriority Claims | YES                  | 13               |                     | \$443,790.00        |           |
| G-   | Executory Contracts and Unexpired Leases       | YES                  | 1                |                     |                     |           |
| H-   | Codebtors                                      | YES                  | 1                |                     |                     |           |
| I-   | Current Income of Individual Debtor(s)         | YES                  | 1                |                     |                     | \$4765.50 |
| J-   | Current Expenditures of Individual Debtors     | YES                  | 1                |                     |                     | \$4499.00 |
| <b>Total Number of Sheets<br/>Of ALL Schedules</b> |  |                      | <b>25</b>        |                     |                     |           |
| <b>Total Assets</b>                                |  |                      |                  | <b>\$130,464.00</b> |                     |           |
| <b>Total Liabilities</b>                           |  |                      |                  |                     | <b>\$562,895.00</b> |           |

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE A – REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G – Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C – Property Claimed as Exempt.

| DESCRIPTION AND LOCATION OF PROPERTY  | NATURE OF DEBTOR'S INTEREST IN PROPERTY | HUSBAND, WIFE, JOINT OR COMMUNITY       | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION | AMOUNT OF SECURED CLAIM |
|---|---|---|--|-------------------------|
| 4870 Morgan Parkway<br>Hamburg, NY 14075-3216<br>(title owner is recently deceased son)                           | Heir                                    |   | \$96,429.00  | \$41,000.00             |
| 1633 Inwood, Angola<br>(vacant land – current building standing on land was condemned and needs to be demolished) | Owners                                  | Owned Jointly with Siblings (1/3 share) | \$8,850.00   | \$13,966.87             |
| Total   |   |   | \$105,279.00   |                         |

(Report also on Summary of Schedules.)

|  |              |
|--|--------------|
| In re:                                 | Case Number: |
| Tiburzi, Louis J. and Linda, Debtor(s) | (If Known)   |

### SCHEDULE B – PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C – Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G – Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

| TYPE OF PROPERTY |   | NONE                                | DESCRIPTION AND<br>LOCATION OF PROPERTY | HUSBAND,<br>WIFE,JOINT<br>OR<br>COMMUNITY | CURRENT MARKET<br>VALUE OF<br>DEBTOR'S<br>INTEREST IN<br>PROPERTY,<br>WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION |
|------------------|---|-------------------------------------|---|---|---|
| 1.               | Cash on hand.   | <input checked="" type="checkbox"/> |   |   |   |
| 2.               | Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. | <input type="checkbox"/>            | 2. Bank of Akron<br>Acct# ending 9011   | WIFE                                      | \$100.00  |
| 3.               | Security deposits with public utilities, telephone companies, landlords, and others.  | <input checked="" type="checkbox"/> |   |   |   |
| 4.               | Household goods and furnishings, including audio, video and computer equipment.   | <input type="checkbox"/>            | 4. Household Furnishings                |   | \$750.00  |
| 5.               | Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | <input checked="" type="checkbox"/> |   |   |   |
| 6.               | Wearing apparel.  | <input type="checkbox"/>            | 6. Wearing Apparel                      |   | \$200.00  |
| 7.               | Furs and jewelry.   | <input checked="" type="checkbox"/> |   |   |   |
| 8.               | Firearms and sports, photographic, and other hobby equipment.   | <input checked="" type="checkbox"/> |   |   |   |
| 9.               | Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.   | <input checked="" type="checkbox"/> |   |   |   |
| 10.              | Annuities. Itemize and name each issuer.  | <input checked="" type="checkbox"/> |   |   |   |

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE B – PERSONAL PROPERTY**  
(Continuation Sheet)

| TYPE OF PROPERTY   | NONE                                | DESCRIPTION AND LOCATION OF PROPERTY  | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|--|-------------------------------------|---|-----------------------------------|---|
| 11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize  | <input checked="" type="checkbox"/> |   |                                   |   |
| 12. Stocks and interests in incorporated and unincorporated businesses. Itemize.   | <input type="checkbox"/>            | <b>12. Marlin Properties of WNY Corp. **</b>  | WIFE                              | <b>\$8,895.00</b>   |
| 13. Interest in partnerships or joint ventures. Itemize.   | <input checked="" type="checkbox"/> | <b>(50% of shares owned by Wife) Sole Asset is 47 Colton Avenue, Lackawanna, NY</b>                             |                                   |   |
| 14. Government and corporate bonds and other negotiable and non-negotiable instruments.  | <input checked="" type="checkbox"/> | <b>12. L. Tiburzi Sewer &amp; Drain (Wife's d/b/a—company totally indebted and no value)</b>                    | WIFE                              | <b>\$0.00</b>   |
| 15. Accounts receivable.   | <input type="checkbox"/>            |   |                                   |   |
| 16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.   | <input checked="" type="checkbox"/> | <b>12. The Sewer Company, Inc. (100% of shares owned by recently deceased son) (no assets owned – no value)</b> |                                   | <b>\$0.00</b>   |
| 17. Other liquidated debts owing debtor including tax refunds. Give particulars.   | <input checked="" type="checkbox"/> | <b>15. Essex (accounts receivable for services rendered)</b>  |                                   | <b>\$13,000.00</b>  |
| 18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property. (Form 6A.) | <input checked="" type="checkbox"/> |   |                                   |   |
| 19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.   | <input checked="" type="checkbox"/> |   |                                   |   |
| 20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.     | <input checked="" type="checkbox"/> |   |                                   |   |
| 21. Patents, copyrights, and other intellectual property. Give particulars.  | <input checked="" type="checkbox"/> |   |                                   |   |
| 22. Licenses, franchises, and other general intangibles. Give particulars.   | <input checked="" type="checkbox"/> |   |                                   |   |

**\*\*Fair Market Value of 47 Colton Avenue**  
**Less: Outstanding Mortgage with Litton**  
**Loan Servicing**

**\$61,889.00****\$44,099.00**

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

# **SCHEDULE B – PERSONAL PROPERTY** (Continuation Sheet)

| TYPE OF PROPERTY               |   | NONE                                | DESCRIPTION AND<br>LOCATION OF PROPERTY   | HUSBAND,<br>WIFE,JOINT<br>OR<br>COMMUNITY | CURRENT MARKET<br>VALUE OF<br>DEBTOR'S<br>INTEREST IN<br>PROPERTY,<br>WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION |
|--------------------------------|---|-------------------------------------|---|---|---|
| 23.                            | Automobiles, trucks, trailers and other vehicles and accessories. | <input type="checkbox"/>            | 23. 1989 Dodge Pickup<br>1989 Dodge Pickup<br>1994 Ford Pickup<br>(all vehicles have approx<br>180-200,000 miles and have<br>physical damage) | Wife<br>Husband<br>Wife                   | \$450.00  |
| 24.                            | Boats, motors, and accessories.                                   | <input checked="" type="checkbox"/> |   |   | \$520.00  |
| 25.                            | Aircraft and accessories.   | <input checked="" type="checkbox"/> |   |   | \$1,270.00  |
| 26.                            | Office equipment, furnishings, and supplies.                      | <input checked="" type="checkbox"/> |   |   |   |
| 27.                            | Machinery, fixtures, equipment and supplies used in business.     | <input checked="" type="checkbox"/> |   |   |   |
| 28.                            | Inventory.  | <input checked="" type="checkbox"/> |   |   |   |
| 29.                            | Animals.  | <input checked="" type="checkbox"/> |   |   |   |
| 30.                            | Crops - growing or harvested. Give particulars.                   | <input checked="" type="checkbox"/> |   |   |   |
| 31.                            | Farming equipment and implements.                                 | <input checked="" type="checkbox"/> |   |   |   |
| 32.                            | Farm supplies, chemicals and feed.                                | <input checked="" type="checkbox"/> |   |   |   |
| 33.                            | Other personal property of any kind not already listed. Itemize.  | <input checked="" type="checkbox"/> |   |   |   |
| 0 continuation sheets attached |   |                                     |   |   | \$25,185.00   |

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules)

Case Number:

(If Known)

Debtor elects the exemptions to which debtor is entitled under

☐ 11 U.S.C. §522 (b)(1) Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.

[illegible]



In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE D – CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interest such as judgment liens, garnishments, statutory liens, mortgages, deed of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE                    | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM INCURRED,<br>NATURE OF LIEN, AND<br>DESCRIPTION AND MARKET<br>VALUE OF PROPERTY<br>SUBJECT TO LIEN           | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION,<br>IF ANY |
|---|--|---|------------|--------------|----------|--|---------------------------------|
| Thomas and Theresa DiMaria<br>105 Admiral Road<br>Buffalo, New York 14216 | N  | First Lien against<br>premises commonly<br>known as 1633 Inwood<br>Avenue, Evans, New York<br><br>VALUE: \$8,850.00     |            |              |          | \$13,967.00  | \$5,117.00                      |
| David and Jeri Brooks<br>2334 Beachwood Drive<br>Lakeview, NY 14085       | N  | First lien against premises<br>commonly known as 4870<br>Morgan Parkway,<br>Hamburg, New York<br><br>VALUE: \$96,429.00 |            |              |          | \$36,000.00  | \$0.00                          |
| LAST FOUR DIGITS OF ACCOUNT NO.   |  |   |            |              |          |  |                                 |
| LAST FOUR DIGITS OF ACCOUNT NO.   |  |   |            |              |          |  |                                 |
| LAST FOUR DIGITS OF ACCOUNT NO.   |  |   |            |              |          |  |                                 |
| Subtotal  |  |   |            |              |          | \$49,967.00  |                                 |
| (Total of this page)<br>Total<br>(Use only on last page)                  |  |   |            |              |          | \$49,967.00  |                                 |

(Report total also on Summary of Schedules)

0 Continuation sheets attached

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPE OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

- ☐ **Extensions of credit in an involuntary case:** Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).
- ☐ **Wages, salaries, and commissions:** Wages, salaries and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,650\* per person, earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).
- ☐ **Contributions to employee benefit plans:** Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
- ☐ **Certain farmers and fishermen:** Claims of certain farmers and fishermen, up to \$4,650\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).
- ☐ **Deposits by individuals:** Claims of individuals up to \$2,100\* for deposits for the purchase, lease, or rental of property or services for personal, family or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).
- ☐ **Alimony, Maintenance, or Support:** Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).
- ☒ **Taxes and certain other debts owed to governmental units:** Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(7).
- ☐ **Commitments to Maintain the Capital of an Insured Depository Institution:** Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

\* Amounts are subject to adjustment on April 1, 2004, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

|   |                                |
|---|--------------------------------|
| In re:<br><br><b>Tiburzi, Louis J. and Linda, Debtor(s)</b> | Case Number:<br><br>(If Known) |
|---|--------------------------------|

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

TYPE OF PRIORITY

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM   | CONTINGENT | UNLIQUIDATED | DISPUTED | TOTAL<br>AMOUNT OF<br>CLAIM | AMOUNT<br>ENTITLED TO<br>PRIORITY |
|---|---|---|------------|--------------|----------|-----------------------------|-----------------------------------|
| Internal Revenue Service<br>Andover, MA 05501   | N   | Judgment filed in or about<br>February, 2002 as and for<br>_____ taxes owed<br>(under case number<br>2Q1012367)                     |            |              |          | \$45,076.00                 | \$45,076.00                       |
| NYS Tax Commission<br>P.O. Box 5300<br>Albany, NY 12205-0300  | N   | Judgment filed in Erie<br>County Clerk's office under<br>case number Q001364984<br>in September, 2004                               |            |              |          | \$1,030.00                  | \$1,030.00                        |
| NYS Department of Labor<br>W. Averell Harriman State<br>Office Campus Blding 12<br>Albany, NY 12240           |   | Judgment filed in County<br>Court under case number<br>Q1287237 in March, 2004  |            |              |          | \$1,050.00                  | \$1,050.00                        |
| NYS Tax Commission<br>P.O. Box 5300<br>Albany, NY 12205-0300  |   | Judgment filed in County<br>Court under case number<br>Q1342801 in August, 2004   |            |              |          | \$1,050.00                  | \$1,050.00                        |
| Tax Collector<br>Town of Hamburg<br>S-6100 South Park Avenue<br>Hamburg, NY 14075                             |   | 2005-2006 School Taxes<br>due with respect to 4870<br>Morgan Parkway, Hamburg,<br>New York  |            |              |          | \$1,450.00                  | \$1,450.00                        |
| Internal Revenue Service<br>Deirdre J. Roper<br>130 S. Elmwood Avenue,<br>Suite 200<br>Buffalo, NY 14202-2464 |   | 941 Due for Periods ending<br>12/31/02; 3/31/03; 6/30/03;<br>9/30/03; 12/31/03; 3/31/04;<br>9/30/04 for L. Tiburzi Sewer<br>& Drain |            |              |          | \$19,482.00                 | \$19,482.00                       |

Subtotal

\$69,138.00

(Total of this page)

Total

\$69,138.00

(Use only on last page of completed Schedule E)

(Report total also on Summary of Schedules)

Sheet no. \_\_\_\_\_ of \_\_\_\_\_ continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

|   |  |
|---|--|
| In re:<br><br><b>Tiburzi, Louis J. and Linda, Debtor(s)</b> | Case Number:<br><br><div style="text-align: right;">(If Known)</div> |
|---|--|

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife Joint or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured non-priority claims to report on this Schedule F

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE   | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE                   | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|--|--|--|------------|--------------|----------|-----------------|
| American Express<br>P.O. Box 360001<br>Fort Lauderdale, FL 33336-0001<br>5836                                      | N  |  |            |              |          | \$400.00        |
| Advantage Assets II, Inc.<br>c/o LTD Financial Services, L.P.<br>P.O. Box 630769<br>Houston, TX 77263-0769<br>9927 | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                                  |            |              |          | \$8,050.00      |
| Beneficial Finance<br>P.O. Box 17574<br>Baltimore, MD 21297-1574<br>0028   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                                  |            |              |          | \$11,400.00     |
| BMG Music Customer Service Center<br>P.O. Box 91545<br>Indianapolis, IN 46291-0545                                 | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                                  |            |              |          | \$50.00         |
| Capital One Bank<br>P.O. Box 85147<br>Richmond, VA 23276   |  | Judgment filed in County Court under Case Number B75100 in March, 2005   |            |              |          | \$1,650.00      |
| Various<br>Capital One Bank<br>P.O. Box 85147<br>Richmond, VA 23276  | N  | Goods and services provided to petitioner pursuant to credit report dated Action Commenced; Summons and complaint served |            |              |          | \$6,300.00      |
| Subtotal   |  |  |            |              |          | \$27,850.00     |
| Total  |  |  |            |              |          | \$              |

12 continuation sheets attached

(Report total also on Summary of Schedules)

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE   | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|--|--|--|------------|--------------|----------|-----------------|
| Also Notify:   |  |  |            |              |          |                 |
| Cohen & Slamowitz, LLP<br>P.O. Box 9004<br>199 Crossways Park Drive<br>Woodbury, NY 11797-9004 |  |  |            |              |          |                 |
| Also Notify:   |  |  |            |              |          |                 |
| NCO Financial Systems<br>P.O. Box 8148<br>Philadelphia, PA 19101-8148                          |  |  |            |              |          |                 |
| 3383   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$50.00         |
| Catholic Health System<br>Mercy Hospital of Buffalo<br>565 Abbott Road<br>Buffalo, NY 14220    |  |  |            |              |          |                 |
| Charter One Bank<br>c/o Oxford Collection Services<br>135 Maxess Road<br>Melville, NY 11747    |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$300.00        |
| 4787   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$5,300.00      |
| Chase Manhattan Bank USA, N.A.<br>P.O. Box 15583<br>Wilmington, DE 19886-1194                  |  |  |            |              |          |                 |
| Also Notify:   |  |  |            |              |          |                 |
| M.R.S. Associates, Inc.<br>3 Executive Campus, Suite 400<br>Cherry Hill, NJ 08002              |  |  |            |              |          |                 |
| Also Notify:   |  |  |            |              |          |                 |
| Chase BankCard Services, Inc.<br>P.O. Box 521195<br>Phoenix, AZ 85072-2195                     |  |  |            |              |          |                 |
| Subtotal   |  |  |            |              |          | \$5,650.00      |
| (Total of this page)<br>Total  |  |  |            |              |          | \$              |
| (Use only on last page of completed Schedule F)  |  |  |            |              |          |                 |
| (Report total also on Summary of Schedules)  |  |  |            |              |          |                 |

Sheet no. 1 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTR<br>HUSBAND,WIFE,JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|---|--|------------|--------------|----------|-----------------|
| 5251<br>Citibank Early Out Primes<br>c/o NCO Financial Systems<br>P.O. Box 41625<br>Philadelphia, PA 19101-1625                       | N   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$6,000.00      |
| AYU7<br>Citibank Early Out Primes<br>c/o NCO Financial Systems<br>P.O. Box 41625<br>Philadelphia, PA 19101-1625                       | N   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$7,100.00      |
| Also Notify:<br>Citicorp-Bankcard Classic<br>c/o Collectcorp Corporation<br>455 North 3rd Street, Suite 260<br>Phoenix, AZ 85004-3924 |   |  |            |              |          |                 |
| Citi - Shell<br>P.O. Box 2463<br>Houston, TX 77252-2463   |   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$150.00        |
| 3140<br>Cross Country Bank<br>P.O. Box 10001<br>Huntington, WV 25770  | N   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$2,550.00      |
| Also Notify:<br>Select Financial<br>P.O. Box 1070<br>Jenkintown, PA 19046-7370  |   |  |            |              |          |                 |
| Also Notify:<br>Professional Recovery Services, Inc.<br>P.O. Box 1880<br>Voorhees, NJ 08043   |   |  |            |              |          |                 |
| Also Notify:<br>Cross Country Bank<br>P.O. Box 10007<br>Huntington, WV 25770-0007   |   |  |            |              |          |                 |
| Subtotal  |   |  |            |              |          | \$15,800.00     |
| (Total of this page)<br>Total   |   |  |            |              |          | \$              |

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)

Sheet no. 2 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE                                 | CODEBATOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR<br>CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|--|---|---|------------|--------------|----------|-----------------|
| 0339<br>The Disney Credit Card<br>P.O. Box 530993<br>Atlanta, GA 30353-0993            | N   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$450.00        |
| 7MRA<br>EBSCO Teleservices<br>P.O. Box 830049<br>Birmingham, AL 35283-0049             | N   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$65.00         |
| 1371<br>ExxonMobil<br>P.O. Box 4598<br>Carol Stream, IL 60197-4598                     | N   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$35.00         |
| 9370<br>First Niagara Bank<br>P.O. Box 28<br>Buffalo, NY 14240-0028                    | N   | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$7,500.00      |
| 2019<br>Omar-Parmenter Tires & Service, Inc.<br>772 Elk Street<br>Buffalo, NY 14210    |   | Goods and services provided to petitioner pursuant to statement dated September 25, 2002                  |            |              |          | \$210.00        |
| 0419<br>Contractors Credit<br>1110 Lake Cook Road Suite 370<br>Buffalo Grove, IL 60089 |   | Goods and services provided to petitioner pursuant to statement dated November, 2002                      |            |              |          | \$24,550.00     |
| 8598<br>GMAC Payment Processing Center<br>P.O. Box 78369<br>Phoenix, AZ 85062-8369     |   | Goods and services provided to petitioner pursuant to statement dated August 7, 2005                      |            |              |          | \$5,200.00      |
| 6710<br>Miracle Financial, Inc.<br>52 Armstrong Road<br>Plymouth, MA 02360-4807        |   | Goods and services provided to petitioner pursuant to statement dated August 4, 2005                      |            |              |          | \$600.00        |
| 0898<br>Verizon<br>615 N. Classen Boulevard<br>Oklahoma City, OK 73106                 | N   | Goods and services provided to petitioner pursuant to statement dated July 28, 2005                       |            |              |          | \$2,200.00      |
| Subtotal   |   |   |            |              |          | \$40,810.00     |
| (Total of this page)<br>Total  |   |   |            |              |          | \$              |
| (Use only on last page of completed Schedule F)  |   |   |            |              |          |                 |
| (Report total also on Summary of Schedules)  |   |   |            |              |          |                 |

Sheet no. 3 of 12 continuation sheets attached to Schedule of Creditors Holding Unsecured Priority Claims

Form 6F (12/03) - Continued

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|--|--|------------|--------------|----------|-----------------|
| 5066<br>First Premier Bank<br>P.O. Box 5147<br>Sioux Falls, SD 57117-5147                         | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$300.00        |
| 4709<br>First Premier Bank<br>P.O. Box 5147<br>Sioux Falls, SD 57117-5147                         | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$1,450.00      |
| 1007<br>First Premier Bank<br>P.O. Box 5147<br>Sioux Falls, SD 57117-5147                         | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$600.00        |
| 9226<br>First Premier Bank<br>P.O. Box 5147<br>Sioux Falls, SD 57117-5147                         | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$100.00        |
| National Fuel Gas Distribution<br>6363 Main Street<br>Williamsville, NY 14221                     |  | Judgment entered in Erie County Clerk's Office under case number Q001169063 in May, 2003               |            |              |          | \$3,550.00      |
| Niagara Mohawk Power Corporation<br>300 Erie Boulevard West<br>Syracuse, NY 13202-4205            |  | Judgment entered in Erie County Clerk's Office under case number Q001190398 in May, 2003               |            |              |          | \$1,900.00      |
| National Fuel Gas Distribution<br>6363 Main Street<br>Williamsville, NY 14221                     |  | Judgment entered in Erie County Clerk's Office under case number Q001060893 in July, 2002              |            |              |          | \$7,950.00      |
| Also Notify<br>Financial Recoveries<br>P.O. Box 330<br>Buffalo, NY 14223                          |  |  |            |              |          |                 |
| 5867<br>SKO Brenner American, Inc.<br>40 Daniel Street P.O. Box 230<br>Farmingdale, NY 11735-0230 | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$140.00        |
| Subtotal  |  |  |            |              |          | \$15,990.00     |
| (Total of this page)<br>Total   |  |  |            |              |          | \$              |

Sheet no. 4 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)



In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS** (Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE                                       | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|--|--|--|------------|--------------|----------|-----------------|
| 2610<br>Funk Lawn Care<br>330 Fillmore Avenue<br>Tonawanda, NY 14150                         | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$65.00         |
| Thd/CBUSA/Home Depot<br>1881 Ridge Road<br>West Seneca, NY 14224                             |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$9,100.00      |
| HSBC-NV<br>One HSBC Center<br>Buffalo, NY 14203  |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$1,100.00      |
| JcPenney<br>P.O. Box 10001<br>Dallas, TX 75301-7311  |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$450.00        |
| Also Notify:<br>Michael J. Poretta, Esq.<br>P.O. Box 537<br>Hamburg, NY 14075                |  |  |            |              |          |                 |
| Also Notify:<br>General Electric Capital Corporation<br>P.O. Box 103101<br>Roswell, GA 30076 |  |  |            |              |          |                 |
| 4296<br>Kaufmann's<br>P.O. Box 94934<br>Cleveland, OH 44101-4934                             | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$500.00        |
| 3501<br>Klemat Plumbing and Heating, Inc.<br>3280 South Park Avenue<br>Lackawanna, NY 14218  | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$10,250.00     |
| 3781<br>Littman Jewelers<br>P.O. Box 105980 Dept. 06<br>Atlanta, GA 30353-5980               | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$625.00        |
| 1366<br>Lock City Supply, Inc.<br>650 West Avenue P.O. Box 481<br>Lockport, NY 14095-0481    | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$11,500.00     |
| Subtotal   |  |  |            |              |          | \$33,590.00     |
| (Total of this page)   |  |  |            |              |          |                 |
| Total  |  |  |            |              |          | \$              |

Sheet no. 5 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

Case 1:05-92243-CLB, Doc 1, Filed 10/14/05, Entered 10/14/05 15:27:05, (If Known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR<br>CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|--|---|------------|--------------|----------|-----------------|
| Lord & Taylor<br>P.O. Box 94873<br>Cleveland, OH 44101-4873<br>8036   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$250.00        |
| Mercy Hospital OP<br>c/o Mercantile Adjustment Bureau, LLC<br>P.O. Box 9315A<br>Rochester, NY 14604<br>45A2 | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$25.00         |
| Masseys<br>128 West River Street<br>Chippewa Falls, WI 54729<br>0103  | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$300.00        |
| National Fuel – NY<br>P.O. Box 163250<br>Columbus, OH 43216-3250  | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$450.00        |
| Also Notify:<br>CBCS<br>P.O. Box 69<br>Columbus, OH 43216   |  |   |            |              |          |                 |
| National Fuel<br>6363 Main Street<br>Williamsville, NY 14221  |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$4,000.00      |
| Niagara Mohawk<br>c/o Mercantile Adjustment Bureau<br>40 West Avenue<br>Rochester, NY 14611                 |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$200.00        |
| Nordstrom FSB<br>1617 6 <sup>th</sup> Avenue, Suite 500<br>Seattle, WA 98101                                | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                   |            |              |          | \$250.00        |
| Subtotal  |  |   |            |              |          | \$5,475.00      |
| (Total of this page)<br>Total   |  |   |            |              |          | \$              |

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)

Sheet no. 6 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

|  |              |
|--|--------------|
| In re:                                 | Case Number: |
| Tiburzi, Louis J. and Linda, Debtor(s) | (If Known)   |

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|--|--|------------|--------------|----------|-----------------|
| 5786<br>Medical Payment Data<br>c/o Mercantile Adjustment Bureau<br>40 West Avenue<br>Rochester, NY 14611 |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$1,200.00      |
| 5689<br>Orchard Bank<br>c/o Household Credit Services<br>P.O. Box 17051<br>Baltimore, MD 21297-1051       | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$1,050.00      |
| 9405<br>Orchard Bank<br>c/o Household Credit Services<br>P.O. Box 17051<br>Baltimore, MD 21297-1051       | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$2,050.00      |
| 1435<br>Oxmoor House<br>c/o North Shore Agency-N3X-52<br>P.O. Box 8901<br>Westbury, NY 11590-8901         | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$30.00         |
| 8645<br>Pier 1 National Bank<br>9111 Duke Boulevard<br>Mason, OH 45040                                    | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$450.00        |
| Also Notify:<br>Berman & Rabin, P.A.<br>10660 Barkley<br>Overland Park, KS 66212                          |  |  |            |              |          |                 |
| Subtotal  |  |  |            |              |          | \$4,780.00      |
| (Total of this page)<br>Total   |  |  |            |              |          | \$              |

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)

Sheet no. 7 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

|   |                                |
|---|--------------------------------|
| In re:<br><br><b>Tiburzi, Louis J. and Linda, Debtor(s)</b> | Case Number:<br><br>(If Known) |
|---|--------------------------------|

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE   | CODEBTOR<br><small>HUSBAND, WIFE, JOINT<br/>OR COMMUNITY</small> | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|--|--|--|------------|--------------|----------|-----------------|
| 3462<br>Providian Processing Services<br>P.O. Box 660567<br>Dallas, TX 75266-0567                            | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$800.00        |
| Also Notify:<br>Alliance One Receivables Management, Inc.<br>P.O. Box 1961<br>Southgate, Michigan 48195-0961 |  |  |            |              |          |                 |
| 0015<br>Providian Payment Processing<br>P.O. Box 660548<br>Dallas, TX 75266-0548                             | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$9,500.00      |
| 2647<br>Sears Card<br>P.O. Box 182149<br>Columbus, OH 43218-2149   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$2,700.00      |
| Sunoco/Citi<br>1735 Market Street, Suite LL<br>Philadelphia, PA 19103-7583                                   |  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$450.00        |
| 1872 and 8335<br>Van Ru Credit Corporation<br>P.O. Box 998<br>Park Ridge, IL 60068-0998                      |  | Goods and services provided to petitioner pursuant to statement dated July 25, 2005                    |            |              |          | \$500.00        |
| 5208 and 5163<br>Van Ru Credit Corporation<br>P.O. Box 998<br>Park Ridge, IL 60068-0998                      |  | Goods and services provided to petitioner pursuant to statement dated August 15, 2005                  |            |              |          | \$2250.00       |
| 9910<br>Seventh Avenue<br>c/o E R Solutions, Inc.<br>P.O. Box 9004<br>Renton, WA 98057-9004                  | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$250.00        |
| Subtotal   |  |  |            |              |          | \$16,450.00     |
| (Total of this page)<br>Total  |  |  |            |              |          | \$              |
| (Use only on last page of completed Schedule F)  |  |  |            |              |          |                 |
| (Report total also on Summary of Schedules)  |  |  |            |              |          |                 |

Sheet no. 8 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR<br>CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|--|---|------------|--------------|----------|-----------------|
| 3235<br>Target National Bank<br>P.O. Box 59231<br>Minneapolis, MN 55459-0231                                      | N  | Goods and services<br>provided to petitioner<br>pursuant to credit report<br>dated June 20, 2005          |            |              |          | \$400.00        |
| 1530<br>Through the Country Door<br>1112 7th Avenue<br>Monroe, WI 53566-1364                                      | N  | Goods and services<br>provided to petitioner<br>pursuant to credit report<br>dated June 20, 2005          |            |              |          | \$400.00        |
| Stop N Gas<br>5498 Camp Road<br>Hamburg, NY   | N  | Goods and services<br>provided to petitioner<br>pursuant to credit report<br>dated June 20, 2005          |            |              |          | \$11,000.00     |
| LA Hazard & Sons<br>1695 Overhead Road<br>Derby, NY   | N  | Goods and services<br>provided to petitioner<br>pursuant to credit report<br>dated June 20, 2005          |            |              |          | \$79,000.00     |
| 7040<br>ADT Security Services, Inc.<br>c/o NCO Financial Systems<br>P.O. Box 41457<br>Philadelphia, PA 19101-1457 |  | Goods and services<br>provided to petitioner<br>pursuant to statement<br>dated July 21, 2005              |            |              |          | \$200.00        |
| 194D<br>University at Buffalo<br>Parking Violations Office<br>P.O. Box 4600<br>Buffalo, NY 14240-4600             |  | Fines incurred for parking<br>violations in 2004  |            |              |          | \$100.00        |
| 9354<br>USPS Disbursing Officer<br>Accounting Service Center<br>P.O. Box 21888<br>Eagan, MN 55121-0888            |  | Goods and services<br>provided to petitioner<br>pursuant to statement<br>dated July 14, 2005              |            |              |          | \$600.00        |
| 9353<br>USPS Disbursing Officer<br>Accounting Service Center<br>P.O. Box 21888<br>Eagan, MN 55121-0888            |  | Goods and services<br>provided to petitioner<br>pursuant to statement<br>dated July 14, 2005              |            |              |          | \$1,050.00      |
| Subtotal  |  |   |            |              |          | \$92,750.00     |
| (Total of this page)  |  |   |            |              |          | \$              |
| Total   |  |   |            |              |          |                 |

Sheet no. 9 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE   | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|--|--|--|------------|--------------|----------|-----------------|
| Schaefer Plumbing<br>146-160 Clinton Street<br>Buffalo, NY 14203   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$26,150.00     |
| Also Notify:<br>CCC of NY<br>P.O. Box 740<br>Buffalo, NY 14217-0740  |  |  |            |              |          |                 |
| Karstedt S Automotive<br>5909 Camp Road<br>Hamburg, NY   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$12,000.00     |
| Karstedt S Automotive<br>5909 Camp Road<br>Hamburg, NY   |  | Judgment filed in County Court under case number B80886 in June, 2005                                  |            |              |          | \$1,400.00      |
| Buffalo Plumbing Supply<br>Seneca Street<br>Buffalo, NY  | N  | Judgment filed in County Court under case number Q13155763 in May, 2004                                |            |              |          | \$29,500.00     |
| Riefler Concrete Products<br>5690 Camp Road<br>Hamburg, NY 14075   | N  | Judgment filed in County Court under case number B45875 in February, 2003                              |            |              |          | \$7,225.00      |
| Also Notify:<br>Aaron, Dautch, Sternberg & Lawson,<br>Convention Center Tower<br>43 Court Street Suite 730<br>Buffalo, NY 14202-3172 |  |  |            |              |          |                 |
| VP Supply Corp<br>2240 Harlem Road<br>Cheektowaga, NY  |  | Judgment filed in County Court under case number Q1144067 in March, 2003                               |            |              |          | \$69,845.00     |
| National Casualty Company<br>P.O. Box 4120<br>Scottsdale, AZ 85261-4120  |  | Goods and services provided to petitioner pursuant to policy of 8/12/04 to 8/12/05                     |            |              |          | \$500.00        |
| Carlo M. Perfetto<br>P.O. Box 252<br>Hamburg, NY 14075   |  | Legal Services Rendered in 2003  |            |              |          | \$1,950.00      |
| Subtotal   |  |  |            |              |          | \$148,570.00    |
| (Total of this page)<br>Total  |  |  |            |              |          | \$              |

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)

Sheet no. 10 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

|  |              |
|--|--------------|
| In re:                                 | Case Number: |
| Tiburzi, Louis J. and Linda, Debtor(s) | (If Known)   |

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>AND CONSIDERATION FOR CLAIM,<br>IF CLAIM IS SUBJECT<br>TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|--|--|------------|--------------|----------|-----------------|
| Also Notify:<br>VP Supply Corp.<br>c/o Credit Company<br>2495 Walden Avenue<br>Cheektowaga, NY 14225  |  |  |            |              |          |                 |
| Also Notify:<br>VP Supply Corp.<br>c/o Relin, Goldstein & Crane, LLP<br>Paul L. Goldstein, Esq.<br>1800 First Federal Plaza<br>Rochester, NY 140614 |  |  |            |              |          |                 |
| Case Credit Charge Card<br>P.O. Box 292<br>Racine, WI 53401   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$8,000.00      |
| Kistner Concrete<br>Route 39<br>Springville, NY   | N  | Judgment filed in County Court under case number B36407 in September, 2002                             |            |              |          | \$2,100.00      |
| National Fuel<br>6363 Main Street<br>Williamsville, NY 14221  | N  | Judgment filed in County Court under case number Q1305486  |            |              |          | \$1,700.00      |
| Medical<br>Mercy Hospital<br>565 Abbott Road<br>Buffalo, NY 14220   |  | Judgment filed in County Court under case number Q001404898 in January, 2005                           |            |              |          | \$1,550.00      |
| Also Notify:<br>Anderson Equipment<br>c/o Getman Biryly, LLP<br>800 Rand Building<br>14 Lafayette Square<br>Buffalo, NY 14203-1995                  |  |  |            |              |          |                 |
| Anderson Equipment<br>101 Great Arrow Avenue<br>Buffalo, NY 14216   | N  | Goods and services provided to petitioner pursuant to credit report dated June 20, 2005                |            |              |          | \$1,500.00      |
| Subtotal  |  |  |            |              |          | \$14,850.00     |
| (Total of this page)<br>Total   |  |  |            |              |          | \$              |
| (Use only on last page of completed Schedule F)   |  |  |            |              |          |                 |
| (Report total also on Summary of Schedules)   |  |  |            |              |          |                 |

Sheet no. 11 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

|  |              |
|--|--------------|
| In re:                                 | Case Number: |
| Tiburzi, Louis J. and Linda, Debtor(s) | (If Known)   |

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE  | CODEBTOR | HUSBAND WIFE JOINT OR COMMUNITY | DATE CLAIM WAS INCURRED, AND CONSIDERATION FOR CLAIM, IF CLAIM IS SUBJECT TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|----------|---------------------------------|---|------------|--------------|----------|-----------------|
| <b>Also Notify:</b>   |          |                                 |   |            |              |          |                 |
| Kistner Concrete Products, Inc.<br>c/o Aaron, Dautch, Sternberg & Lawson, LLP<br>43 Court Street, Suite 730<br>Buffalo, NY 14202-3172<br>4199 |          |                                 |   |            |              |          |                 |
| State of New Jersey Higher Education Student Assistance Authority<br>4 Quakerbridge Plaza P.O. Box 546<br>Trenton, NJ 08625-0546<br>1016      | N        |                                 | STUDENT LOAN  |            |              |          | \$2,150.00      |
| Sallie Mae<br>P.O. Box 9500<br>Wilkes Barre PA 18773-9500   | N        |                                 | STUDENT LOAN  |            |              |          | \$2,000.00      |
| Hurtubise Tire, Inc.<br>63 Oliver Street<br>North Tonawanda, NY 14120   | N        |                                 | Judgment filed in County Court under case number Q1181329 in June, 2003                       |            |              |          | \$5,025.00      |
| <b>Also Notify:</b>   |          |                                 |   |            |              |          |                 |
| Saltarelli & Associates, P.C.<br>156 Delaware Street<br>Tonawanda, NY 14150-3498<br>4243  |          |                                 | Goods and services provided to petitioner pursuant to statement dated September 15, 2005      |            |              |          | \$3,800.00      |
| Providian c/o Capital Management Services, Inc.<br>726 Exchange Street, Suite 700<br>Buffalo, NY 14210  |          |                                 | Judgment filed in County Court under case number B48957 in August, 2003                       |            |              |          | \$8,250.00      |
| <b>Also Notify:</b>   |          |                                 |   |            |              |          |                 |
| Matthew J. Garvey<br>Garvey & Garvey<br>416 Pearl Street<br>Buffalo, New York 14202   |          |                                 |   |            |              |          |                 |
| Subtotal  |          |                                 |   |            |              |          | \$21,225.00     |
| (Total of this page)  |          |                                 |   |            |              |          |                 |
| Total   |          |                                 |   |            |              |          | \$443,790.00    |

Sheet no. 12 of 12 continuation  
sheets attached to Schedule of Creditors Holding  
Unsecured Priority Claims

(Use only on last page of completed Schedule F)

(Report total also on Summary of Schedules)



|  |              |
|--|--------------|
| In re:                                 | Case Number: |
| Tiburzi, Louis J. and Linda, Debtor(s) | (If Known)   |

### SCHEDULE G – EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests.

State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease.

Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

Check this box if debtor has no executory contracts or unexpired leases.

| NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT | DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT         |
|---|---|
| Ford Motor Credit<br>P.O. Box 220564<br>Pittsburgh, PA 15257-2564                   | Lease for 2004 Expedition began in January, 2004. Monthly payments of \$389.00 over a thirty-eight (38) month period. Present balance is \$8,958.00 and requires a balloon payment. |

In re:

Tiburzi, Louis J. and Linda, Debtor(s)

Case Number:

(If Known)

**SCHEDULE H – CODEBTORS**

Provide the information required concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the non-debtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Check this box if debtor has no codebtors.

**NAME AND ADDRESS OF CODEBTOR**

John and Marie Benny  
129 North Ryan Street  
Buffalo, New York 14210

**NAME AND ADDRESS OF CREDITOR**

Thomas and Theresa DiMaria  
105 Admiral Road  
Buffalo, New York 14216

|   |              |
|---|--------------|
| In re:  | Case Number: |
| <b>Tiburzi, Louis J. and Linda, Debtor(s)</b> | (If Known)   |

### SCHEDULE I – CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

| Debtor's Marital Status: | DEPENDENTS OF DEBTOR AND SPOUSE |            |  |
|--------------------------|---------------------------------|------------|--|
| <b>Married</b>           | RELATIONSHIP                    | AGE        |  |
|                          |                                 | NONE       |  |
|                          | EMPLOYMENT:                     |            |  |
|                          | DEBTOR                          | SPOUSE     |  |
| Occupation               | Self Employed                   | Unemployed |  |
| Name of Employer         | The Sewer Company, Inc.         |            |  |
| How Long Employed        | Four (4) Months                 |            |  |
| Address of Employer      |                                 |            |  |

| Income: (Estimate of average monthly income)   | Debtor            | Spouse          |
|--|-------------------|-----------------|
| Current monthly gross wages, salary and commissions<br>(pro rate if not paid monthly)  | \$                | \$              |
| Estimate monthly overtime  | N/A               | N/A             |
| <b>SUBTOTAL</b>  | \$                | \$              |
| Less Payroll Deductions  |                   |                 |
| a. Payroll taxes and social security   | \$                | \$              |
| b. Insurance   | N/A               | N/A             |
| c. Union dues  | N/A               | N/A             |
| d. Other (Specify) _____   | N/A               | N/A             |
| <b>SUBTOTAL OF PAYROLL DEDUCTIONS</b>  | \$                | \$              |
| <b>TOTAL NET MONTHLY TAKE HOME PAY</b>   | \$                | \$              |
| Regular income from operation of business or profession or farm (attach detailed statement)  | \$4,300.00        |                 |
| Income from real property <b>(1/2 Rental income from property owned By Marlin Properties (\$700.00 less 1/2 mortgage payment of \$234.50))</b> |                   | \$465.50        |
| Interest from real property  |                   |                 |
| Interest and dividends   |                   |                 |
| Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.                        |                   |                 |
| Social security or other government assistance (Specify) _____   |                   |                 |
| Pension or retirement income   |                   |                 |
| Other monthly income (Specify) _____   |                   |                 |
| <b>TOTAL MONTHLY INCOME</b>  | <b>\$4,300.00</b> | <b>\$465.50</b> |
| <b>TOTAL COMBINED MONTHLY INCOME</b>   | <b>\$4,765.50</b> |                 |

(Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

**\*\*Income varies based on cyclical business and weather conditions. This schedule depicts an average monthly income withdrawn from the business after business expenses are deducted.**

|  |              |
|--|--------------|
| In re:                                 | Case Number: |
| Tiburzi, Louis J. and Linda, Debtor(s) | (If Known)   |

### SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

- ☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (Include lot rented for mobile home) \$894.00  
**(\$750.00 for Morgan Parkway and \$144.00 for Inwood Avenue)**

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

Utilities Electricity and heating fuel \$210.00

Water and sewer \$150.00

Telephone \$135.00

Other: Cable \$ 75.00

Home maintenance (repairs and upkeep) \$ 75.00

Food \$400.00

Clothing \$ 25.00

Laundry and dry cleaning \$ 40.00

Medical and dental expenses \$200.00

Transportation (not including car payments) \$230.00

Recreation, clubs and entertainment, newspapers, magazines, etc. \$ 75.00

Charitable contributions \$ 50.00

Insurance (not deducted from wages or included in home mortgage payments):

Homeowner's or Renter's \$110.00

Life \$

Health \$200.00

Auto \$225.00

Other

Taxes (not deducted from wages or included in home mortgage payments)

(Specify) **Property taxes (Morgan Parkway and Inwood Avenue)** \$516.00

Installment payments: (in chapter 12 and 13 cases, do not list payments to be included in the plan)

Auto \$389.00

Other

Other

Alimony, maintenance, and support paid to others

Payments for support of additional dependents not living at your home

Regular expenses from operation of business, profession, or farm (attach detailed statement)

Other: **IRS Tax Payments** \$500.00

**TOTAL MONTHLY EXPENSES** (Report also on summary of Schedules) \$4,499.00

(FOR CHAPTER 12 AND 13 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income \$

B. Total projected monthly expenses \$

C. Excess income (A minus B) \$

D. Total amount to be paid into plan each \$

(interval)

|  |                                |
|--|--------------------------------|
| In re:<br><br>Tiburzi, Louis J. and Linda, Debtor(s) | Case Number:<br><br>(If Known) |
|--|--------------------------------|

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of twenty-six (26) sheets, and that they are true and correct to the best of my knowledge, information and belief.

(Total shown on summary  
page plus 1)

Date: ~~July 22, 2005~~

*October 3, 2005*

Signature: \_\_\_\_\_

/s/ Louis J. Tiburzi

Louis J. Tiburzi Debtor

Date: ~~July 22, 2005~~

*October 3, 2005*

Signature: \_\_\_\_\_

/s/ Linda Tiburzi

Linda Tiburzi, Joint Debtor, if any

(if joint case, both spouses must sign)

### CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (SEE 11 U.S.C. §110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. §110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer \_\_\_\_\_

Social Security Number (Required by 11 U.S.C. §110(c).) \_\_\_\_\_

Address \_\_\_\_\_

Names and social Security numbers of all other individuals who prepared or assisted in preparing the document: \_\_\_\_\_

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer Date

**A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156**

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information and belief.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor]

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§152 and 3571.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF WESTERN NEW YORK**

In re:

Tiburzi, Louis J. and Linda,

Debtor(s)

Case No:

**CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

1. I, have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.  
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

a. *Property to Be Surrendered.*

Description of property

Creditor's name

NONE

b. *Property to Be Retained*

[Check any applicable statement.]

| Description<br>Of<br>Property | Creditor's<br>Name            | Property<br>Is claimed<br>as exempt | Property will<br>Be redeemed<br>Pursuant to<br>11 U.S.C. §722 | Debt will be<br>Reaffirmed<br>Pursuant to<br>11 U.S.C. §524(c) |
|-------------------------------|-------------------------------|-------------------------------------|---|--|
| 4870 MORGAN PARKWAY           | DAVID AND JENIFER BROOKS      | YES                                 | NO  | YES  |
| 1633 INWOOD AVENUE            | THOMAS AND THERESA<br>DIMARIA | NO                                  | NO  | YES  |

Date:

~~July 22, 2005~~

October 3, 2005

/s/ Louis J. Tiburzi

Louis J. Tiburzi, Debtor

/s/ Linda Tiburzi

Linda Tiburzi Joint Debtor, if any

**CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. §110)**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. §110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security Number (Required by 11 U.S.C. § 110)

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document.  
If more than one person prepared this document, attach additional sheets conforming to the appropriate Official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

**FORM 7. STATEMENT OF FINANCIAL AFFAIRS**  
**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF WESTERN NEW YORK**

In re: Tiburzi, Louis J. and Linda,  
(Name)  
Debtor

Case No. \_\_\_\_\_  
(if known)

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

*DEFINITIONS*

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

**1. Income from employment or operation of business**

None

- ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE (if more than one)

In 2003, Debtor earned an approximate annual gross income of \$(Unknown at this time);

In 2004, Debtor earned an approximate annual gross income of \$124,474.00;\*\*

In 2005, Debtor earned an approximate gross income to date of \$93,356.00;\*\*

\*\*Business gross income – no deduction for business expenses.

Source is from self-employed sewer installation business. Previously operated under L. Tiburzi Sewer and Drain. In early 2005, Debtor terminated his business for health reasons and worked sporadically for his son's business, The Sewer Company, Inc. Debtors' son has recently passed away and Debtors have taken over operation of The Sewer Company, Inc.

## 2. Income other than from employment or operation of business

None



State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

## 3. Payments to creditors

None



a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF  
PAYMENTS

AMOUNT  
PAID

AMOUNT  
STILL OWING

None



b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR  
AND RELATIONSHIP TO DEBTOR

DATE OF  
PAYMENT

AMOUNT  
PAID

AMOUNT  
STILL OWING

## 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT  
AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY  
AND LOCATION

STATUS OR  
DISPOSITION

Internal Revenue Service  
Case #2Q1012367

Judgment entered in  
February, 2002

NYS Tax Commission  
Case #Q001364984

County of Erie

Judgment entered in  
September, 2004 for  
\$1,030.00

NYS Department of Labor  
Case #Q1287237

County Court  
County of Erie

Judgment entered in  
March, 2004 for



|  |                                |  |
|--|--------------------------------|--|
| NYS Tax Commission<br>Case #Q1342801                 | County Court<br>County of Erie | Judgment entered in<br>August, 2004 for<br>\$1,050.00    |
| Capital One Bank<br>Case #B75100                     | County Court<br>County of Erie | Judgment entered in<br>March, 2005 for<br>\$1,650.00     |
| Capital One Bank                                     |                                | Summons and Complaint<br>Served for \$6,300.00           |
| National Fuel Gas Distribution<br>Case #Q001169063   | County of Erie                 | Judgment entered in<br>May, 2003 for<br>\$3,550.00       |
| Niagara Mohawk Power Corporation<br>Case #Q001190398 | County of Erie                 | Judgment entered in<br>May, 2003 for<br>\$1,900.00       |
| National Fuel Gas Distribution<br>Case #Q001060893   | County of Erie                 | Judgment entered in<br>July, 2002 for<br>\$7,950.00      |
| Karstedt S Automotive<br>Case #B80886                | County Court<br>County of Erie | Judgment entered in<br>June, 2005 for<br>\$1,400.00      |
| Buffalo Plumbing Supply<br>Case #Q13155763           | County Court<br>County of Erie | Judgment entered in<br>May, 2004 for<br>\$29,500.00      |
| Riefler Concrete Products<br>Case #B45875            | County Court<br>County of Erie | Judgment entered in<br>February, 2003 for<br>\$7,225.00  |
| VP Supply Corp.<br>Case #Q1144067                    | County Court<br>County of Erie | Judgment entered in<br>March, 2003 for<br>\$69,845.00    |
| Kistner Concrete<br>Case #B36407                     | County Court<br>County of Erie | Judgment entered in<br>September, 2002 for<br>\$2,100.00 |
| National Fuel<br>Case #Q1305486                      | County Court<br>County of Erie | Judgment entered in<br>_____ for<br>\$1,700.00           |
| Medical<br>Case #Q001404898                          | County Court<br>County of Erie | Judgment entered in<br>January, 2005 for<br>\$1,550.00   |
| Hurtubise Tire, Inc.<br>Case #Q1181329               | County Court<br>County of Erie | Judgment entered in<br>June, 2003 for<br>\$5,025.00      |
| Baschmann Services, Inc.<br>Case #B48957             | County Court<br>County of Erie | Judgment entered in<br>August, 2003 for<br>\$8,250.00    |

None

- b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF PERSON FOR WHOSE  
BENEFIT PROPERTY WAS SEIZED

DATE OF  
SEIZURE

DESCRIPTION  
AND VALUE OF  
PROPERTY

---

### 5. Repossessions, foreclosures and returns

None

- List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF CREDITOR OR SELLER

DATE OF REPOSSESSION,  
FORECLOSURE SALE,  
TRANSFER OR RETURN

DESCRIPTION  
AND VALUE OF  
PROPERTY

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### 6. Assignments and receiverships

None

- a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF ASSIGNEE

DATE OF  
ASSIGNMENT

TERMS OF  
ASSIGNMENT  
OR SETTLEMENT

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None

- b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF CUSTODIAN

NAME AND LOCATION  
OF COURT  
CASE TITLE & NUMBER

DATE OF  
ORDER

DESCRIPTION  
AND VALUE OF  
PROPERTY

## 7. Gifts

None

- List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF PERSON<br>OR ORGANIZATION | RELATIONSHIP<br>TO DEBTOR,<br>IF ANY | DATE<br>OF GIFT | DESCRIPTION<br>AND VALUE<br>OF GIFT |
|--|--------------------------------------|-----------------|-------------------------------------|
|--|--------------------------------------|-----------------|-------------------------------------|

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## 8. Losses

None

- List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| DESCRIPTION<br>AND VALUE OF<br>PROPERTY | DESCRIPTION OF CIRCUMSTANCES AND, IF<br>LOSS WAS COVERED IN WHOLE OR IN PART<br>BY INSURANCE, GIVE PARTICULARS | DATE OF<br>LOSS |
|---|--|-----------------|
|---|--|-----------------|

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## 9. Payments related to debt counseling or bankruptcy

None

- List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

| NAME AND ADDRESS<br>OF PAYEE | DATE OF PAYMENT,<br>NAME OF PAYOR IF<br>OTHER THAN DEBTOR | AMOUNT OF MONEY OR<br>DESCRIPTION AND VALUE<br>OF PROPERTY |
|------------------------------|---|--|
|------------------------------|---|--|

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## 10. Other transfers

None

- List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF TRANSFeree,<br>RELATIONSHIP TO DEBTOR | DATE | DESCRIBE PROPERTY<br>TRANSFERRED<br>AND VALUE RECEIVED |
|---|------|--|
|---|------|--|

### 11. Closed financial accounts

None

- List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF INSTITUTION | TYPE OF ACCOUNT, LAST FOUR<br>DIGITS OF ACCOUNT NUMBER<br>AND AMOUNT OF FINAL BALANCE | AMOUNT AND<br>DATE OF SALE<br>OR CLOSING |
|------------------------------------|---|--|
|------------------------------------|---|--|

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### 12. Safe deposit boxes

None

- List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF BANK OR<br>OTHER DEPOSITORY | NAMES AND ADDRESSES<br>OF THOSE WITH ACCESS<br>TO BOX OR DEPOSITORY | DESCRIPTION<br>OF<br>CONTENTS | DATE OF TRANSFER<br>OR SURRENDER,<br>IF ANY |
|--|---|-------------------------------|---|
|--|---|-------------------------------|---|

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### 13. Setoffs

None

- List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATE OF<br>SETOFF | AMOUNT OF<br>SETOFF |
|------------------------------|-------------------|---------------------|
|------------------------------|-------------------|---------------------|

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### 14. Property held for another person

None

- List all property owned by another person that the debtor holds or controls.

| NAME AND ADDRESS<br>OF OWNER | DESCRIPTION AND VALUE<br>OF PROPERTY | LOCATION OF PROPERTY |
|------------------------------|--------------------------------------|----------------------|
|------------------------------|--------------------------------------|----------------------|

### 15. Prior address of debtor

None

- If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS

NAME USED

DATES OF OCCUPANCY

### 16. Spouses and Former Spouses

None

- If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

### 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites. "Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

- a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME  
AND ADDRESS

NAME AND ADDRESS  
OF GOVERNMENTAL UNIT

DATE OF  
NOTICE

ENVIRONMENTAL  
LAW

None

- b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME  
AND ADDRESS

NAME AND ADDRESS  
OF GOVERNMENTAL UNIT

DATE OF  
NOTICE

ENVIRONMENTAL  
LAW

None

- c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS  
OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR  
DISPOSITION

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**18 . Nature, location and name of business**

None

- a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

| NAME | LAST FOUR DIGITS OF<br>TAXPAYER I.D. NUMBER | ADDRESS | NATURE OF BUSINESS | BEGINNING AND ENDING<br>DATES |
|------|---|---------|--------------------|-------------------------------|
|------|---|---------|--------------------|-------------------------------|

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None

- b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

| NAME | ADDRESS |
|------|---------|
|------|---------|

---

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

*(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

## 19. Books, records and financial statements

None

- a. List all bookkeepers and accountants who within the **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

---

None

- b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

ADDRESS

DATES SERVICES RENDERED

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None

- c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME

ADDRESS

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None

- d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of this case by the debtor.

NAME AND ADDRESS

DATE ISSUED

---

## 20. Inventories

None

- a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
(Specify cost, market or other basis)

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None

- b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN  
OF INVENTORY RECORDS

**21 . Current Partners, Officers, Directors and Shareholders**

None

- a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

| NAME AND ADDRESS | NATURE OF INTEREST | PERCENTAGE OF INTEREST |
|------------------|--------------------|------------------------|
|------------------|--------------------|------------------------|

None

- b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

| NAME AND ADDRESS | TITLE | NATURE AND PERCENTAGE OF STOCK OWNERSHIP |
|------------------|-------|--|
|------------------|-------|--|

**22 . Former partners, officers, directors and shareholders**

None

- a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

| NAME | ADDRESS | DATE OF WITHDRAWAL |
|------|---------|--------------------|
|------|---------|--------------------|

None

- b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

| NAME AND ADDRESS | TITLE | DATE OF TERMINATION |
|------------------|-------|---------------------|
|------------------|-------|---------------------|

**23 . Withdrawals from a partnership or distributions by a corporation**

None

- If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

| NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR | DATE AND PURPOSE OF WITHDRAWAL | AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY |
|---|--------------------------------|--|
|---|--------------------------------|--|



**24. Tax Consolidation Group.**

None

- If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

LAST FOUR DIGITS OF TAXPAYER IDENTIFICATION NUMBER

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**25. Pension Funds.**

None

- If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PENSION FUND

LAST FOUR DIGITS OF TAXPAYER IDENTIFICATION NUMBER

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\* \* \* \* \*

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date ~~July 22, 2005~~  
October 3, 2005

Signature  
of Debtor

/s/ Louis J. Tiburzi  
Louis J. Tiburzi

Date ~~July 22, 2005~~  
October 3, 2005

Signature  
of Joint Debtor  
(if any)

/s/ Linda Tiburzi  
Linda Tiburzi

[If completed on behalf of a partnership or corporation]

I, declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date \_\_\_\_\_

Signature \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

0 continuation sheets attached

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. § 152 and 3571

**CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

\_\_\_\_\_  
Printed or Typed Name of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security No. (See 11 U.S.C. § 110[c])

\_\_\_\_\_  
Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
Date

**A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 18 U.S.C. § 156.**

In Re: Tiburzi, Louis J. and Linda, Debtor(s)

Case No.

(If Known)

## STATEMENT

Pursuant to Rule 2016(b)

The undersigned, pursuant to Rule 2016(b) Bankruptcy Rules, states that:

- (1) The undersigned is the attorney for the debtor(s) in this case.
- (2) The compensation paid or agreed to be paid by the debtor(s) to the undersigned is:
  - (a) for legal services rendered or to be rendered in contemplation of and in connection with this case. \$
  - (b) prior to filing this statement, debtor(s) have paid \$
  - (c) the unpaid balance due and payable is \$
- (3) **\$209.00** of the filing fee in this case has been paid.
- (4) The services rendered or to be rendered include the following:
  - (a) analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Bankruptcy Code.
  - (b) preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
  - (c) representation of the debtor(s) at the meeting of creditors.
- (5) The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and .
- (6) The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and
- (7) the undersigned has received no transfer, assignment or pledge of property except the following for the value states: .
- (8) The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:

Dated: October 3, 2005

Respectfully Submitted  , Attorney for Petitioner  
Doreen E. Letty

Attorney's name and address: Hogan &amp; Willig, PLLC, One John James Audubon Parkway, Suite 210, Amherst, NY 14228

**State of New Jersey Higher Education  
Student Assistance Authority  
4 Quakerbridge Plaza P.O. Box 546  
Trenton, NJ 08625-0546**

**Sallie Mae  
P.O. Box 9500  
Wilkes Barre PA 18773-9500**

**Hurtubise Tire, Inc.  
63 Oliver Street  
North Tonawanda, NY 14120**

**Saltarelli & Associates, P.C.  
156 Delaware Street  
Tonawanda, NY 14150-3498**

**Providian c/o  
Capital Management Services, Inc.  
726 Exchange Street, Suite 700  
Buffalo, NY 14210**

**Baschmann Services, Inc.  
1101 Maple Road  
Elma, New York 14059**

**Tax Collector  
Town of Hamburg  
S-6100 South Park Avenue  
Hamburg, New York 14075**

**Matthew J. Garvey  
Garvey & Garvey  
416 Pearl Street  
Buffalo, New York 14202**

**Carlo M. Perfetto  
P.O. Box 252  
Hamburg, NY 14075**

**VP Supply Corp.  
c/o Credit Company  
2495 Walden Avenue  
Cheektowaga, NY 14225**

**VP Supply Corp.  
c/o Relin, Goldstein & Crane, LLP  
Paul L. Goldstein, Esq.  
1800 First Federal Plaza  
Rochester, NY 140614**

**Case Credit Charge Card  
P.O. Box 292  
Racine, WI 53401**

**Kistner Concrete  
Route 39  
Springville, NY**

**National Fuel  
6363 Main Street  
Williamsville, NY 14221**

**Medical  
Mercy Hospital  
565 Abbott Road  
Buffalo, NY 14220**

**Anderson Equipment  
c/o Getman Biryła, LLP  
800 Rand Building  
14 Lafayette Square  
Buffalo, NY 14203-1995**

**Anderson Equipment  
101 Great Arrow Avenue  
Buffalo, NY 14216**

**Kistner Concrete Products, Inc.  
c/o Aaron, Dautch, Sternberg & Lawson, LLP  
43 Court Street, Suite 730  
Buffalo, NY 14202-3172**

**LA Hazard & Sons  
1695 Overhead Road  
Derby, NY**

**ADT Security Services, Inc.  
c/o NCO Financial Systems  
P.O. Box 41457  
Philadelphia, PA 19101-1457**

**University at Buffalo  
Parking Violations Office  
P.O. Box 4600  
Buffalo, NY 14240-4600**

**USPS Disbursing Officer  
Accounting Service Center  
P.O. Box 21888  
Eagan, MN 55121-0888**

**USPS Disbursing Officer  
Accounting Service Center  
P.O. Box 21888  
Eagan, MN 55121-0888**

**Schaefer Plumbing  
146-160 Clinton Street  
Buffalo, NY 14203**

**CCC of NY  
P.O. Box 740  
Buffalo, NY 14217-0740**

**Karstedt S Automotive  
5909 Camp Road  
Hamburg, NY**

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5909 Camp Road  
Hamburg, NY**

**Buffalo Plumbing Supply  
Seneca Street  
Buffalo, NY**

**Riefler Concrete Products  
5690 Camp Road  
Hamburg, NY 14075**

**Aaron, Dautch, Sternberg & Lawson, Convention Center Tower  
43 Court Street Suite 730  
Buffalo, NY 14202-3172**

**VP Supply Corp  
2240 Harlem Road  
Cheektowaga, NY**

**Berman & Rabin, P.A.  
10660 Barkley  
Overland Park, KS 66212**

**Providian Processing Services  
P.O. Box 660567  
Dallas, TX 75266-0567**

**Alliance One Receivables  
Management, Inc.  
P.O. Box 1961  
Southgate, Michigan 48195-0961**

**Providian Payment Processing  
P.O. Box 660548  
Dallas, TX 75266-0548**

**Sears Card  
P.O. Box 182149  
Columbus, OH 43218-2149**

**Sunoco/Citi  
1735 Market Street, Suite LL  
Philadelphia, PA 19103-7583**

**Van Ru Credit Corporation  
P.O. Box 998  
Park Ridge, IL 60068-0998**

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P.O. Box 998  
Park Ridge, IL 60068-0998**

**Seventh Avenue  
c/o E R Solutions, Inc.  
P.O. Box 9004  
Renton, WA 98057-9004**

**Target National Bank  
P.O. Box 59231  
Minneapolis, MN 55459-0231**

**Through the Country Door  
1112 7th Avenue  
Monroe, WI 53566-1364**

**Stop N Gas  
5498 Camp Road  
Hamburg, NY**

**Mercy Hospital OP**  
**c/o Mercantile Adjustment Bureau, LLC**  
**P.O. Box 9315A**  
**Rochester, NY 14604**

**Masseys**  
**128 West River Street**  
**Chippewa Falls, WI 54729**

**National Fuel – NY**  
**P.O. Box 163250**  
**Columbus, OH 43216-3250**

**CBCS**  
**P.O. Box 69**  
**Columbus, OH 43216**

**National Fuel**  
**6363 Main Street**  
**Williamsville, NY 14221**

**Niagara Mohawk**  
**c/o Mercantile Adjustment Bureau**  
**40 West Avenue**  
**Rochester, NY 14611**

**Nordstrom FSB**  
**1617 6<sup>th</sup> Avenue, Suite 500**  
**Seattle, WA 98101**

**Medical Payment Data**  
**c/o Mercantile Adjustment Bureau**  
**40 West Avenue**  
**Rochester, NY 14611**

**Orchard Bank**  
**c/o Household Credit Services**  
**P.O. Box 17051**  
**Baltimore, MD 21297-1051**

**Orchard Bank**  
**c/o Household Credit Services**  
**P.O. Box 17051**  
**Baltimore, MD 21297-1051**

**Oxmoor House**  
**c/o North Shore Agency-N3X-52**  
**P.O. Box 8901**  
**Westbury, NY 11590-8901**

**Pier 1 National Bank**  
**9111 Duke Boulevard**  
**Mason, OH 45040**



SKO Brenner American, Inc.  
40 Daniel Street P.O. Box 230  
Farmingdale, NY 11735-0230

Funk Lawn Care  
330 Fillmore Avenue  
Tonawanda, NY 14150

Thd/CBUSA/Home Depot  
1881 Ridge Road  
West Seneca, NY 14224

HSBC-NV  
One HSBC Center  
Buffalo, NY 14203

JCPenney  
P.O. Box 10001  
Dallas, TX 75301-7311

Michael J. Poretta, Esq.  
P.O. Box 537  
Hamburg, NY 14075

General Electric Capital Corporation  
P.O. Box 103101  
Roswell, GA 30076

Kaufmann's  
P.O. Box 94934  
Cleveland, OH 44101-4934

Klemat Plumbing and Heating, Inc.  
3280 South Park Avenue  
Lackawanna, NY 14218

Littman Jewelers  
P.O. Box 105980 Dept. 06  
Atlanta, GA 30353-5980

Lock City Supply, Inc.  
650 West Avenue P.O. Box 481  
Lockport, NY 14095-0481

Lord & Taylor  
P.O. Box 94873  
Cleveland, OH 44101-4873

**Omar-Parmenter Tires & Service, Inc.**  
772 Elk Street  
Buffalo, NY 14210

**Contractors Credit**  
1110 Lake Cook Road Suite 370  
Buffalo Grove, IL 60089

**GMAC Payment Processing Center**  
P.O. Box 78369  
Phoenix, AZ 85062-8369

**Miracle Financial, Inc.**  
52 Armstrong Road  
Plymouth, MA 02360-4807

**Verizon**  
615 N. Classen Boulevard  
Oklahoma City, OK 73106

**First Premier Bank**  
P.O. Box 5147  
Sioux Falls, SD 57117-5147

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Sioux Falls, SD 57117-5147

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P.O. Box 5147  
Sioux Falls, SD 57117-5147

**National Fuel Gas Distribution**  
6363 Main Street  
Williamsville, NY 14221

**Niagara Mohawk Power Corporation**  
300 Erie Boulevard West  
Syracuse, NY 13202-4205

**National Fuel Gas Distribution**  
6363 Main Street  
Williamsville, NY 14221

**Financial Recoveries**  
P.O. Box 330  
Buffalo, NY 14223

**Citibank Early Out Primes  
c/o NCO Financial Systems  
P.O. Box 41625  
Philadelphia, PA 19101-1625**

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c/o NCO Financial Systems  
P.O. Box 41625  
Philadelphia, PA 19101-1625**

**Citicorp-Bankcard Classic  
c/o Collectcorp Corporation  
455 North 3rd Street, Suite 260  
Phoenix, AZ 85004-3924**

**Citi – Shell  
P.O. Box 2463  
Houston, TX 77252-2463**

**Cross Country Bank  
P.O. Box 10001  
Huntington, WV 25770**

**Select Financial  
P.O. Box 1070  
Jenkintown, PA 19046-7370**

**Professional Recovery Services, Inc.  
P.O. Box 1880  
Voorhees, NJ 08043**

**Cross Country Bank  
P.O. Box 10007  
Huntington, WV 25770-0007**

**The Disney Credit Card  
P.O. Box 530993  
Atlanta, GA 30353-0993**

**EBSCO Teleservices  
P.O. Box 830049  
Birmingham, AL 35283-0049**

**ExxonMobil  
P.O. Box 4598  
Carol Stream, IL 60197-4598**

**First Niagara Bank  
P.O. Box 28  
Buffalo, NY 14240-0028**

**American Express**  
P.O. Box 360001  
Fort Lauderdale, FL 33336-0001

**Advantage Assets II, Inc.**  
c/o LTD Financial Services, L.P.  
P.O. Box 630769  
Houston, TX 77263-0769

**Beneficial Finance**  
P.O. Box 17574  
Baltimore, MD 21297-1574

**BMG Music Customer Service Center**  
P.O. Box 91545  
Indianapolis, IN 46291-0545

**Capital One Bank**  
P.O. Box 85147  
Richmond, VA 23276

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P.O. Box 85147  
Richmond, VA 23276

**Cohen & Slamowitz, LLP**  
P.O. Box 9004  
199 Crossways Park Drive  
Woodbury, NY 11797-9004

**NCO Financial Systems**  
P.O. Box 8148  
Philadelphia, PA 19101-8148

**Catholic Health System**  
Mercy Hospital of Buffalo  
565 Abbott Road  
Buffalo, NY 14220

**Charter One Bank**  
c/o Oxford Collection Services  
135 Maxess Road  
Melville, NY 11747

**Chase Manhattan Bank USA, N.A.**  
P.O. Box 15583  
Wilmington, DE 19886-1194

**M.R.S. Associates, Inc.**  
3 Executive Campus, Suite 400  
Cherry Hill, NJ 08002

**Chase BankCard Services, Inc.**  
P.O. Box 521195  
Phoenix, AZ 85072-2195